

0

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ROBERT BEARD,

Plaintiff,

vs.

LEE BACA, ET AL.,

Defendants.

CASE NO. CV 08-02902 GW (RZ)

ORDER ACCEPTING AND
ADOPTING FIRST INTERIM REPORT
AND RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has read and considered the Complaint, the United States Magistrate Judge's First Interim Report and Recommendation, all of the records and files herein. Plaintiff has not filed any objections.

IT IS ORDERED that (1) the Court accepts the Report and adopts its findings and recommendations; (2) the Motion of defendant Lee Baca to dismiss the action (a) as stale and (b) for failing to state a cognizable claim is GRANTED IN PART; and (3) Lee Baca is dismissed from the action with prejudice.

DATED: February 17, 2009



GEORGE H. WU
UNITED STATES DISTRICT JUDGE